

MINUTES
PLANNING COMMISSION
JUNE 12, 2012 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Munn, Pritchard, Roper, Steinfeld, Sherrard
Alternate members present: Fitzgerald, Zod
Absent: Kane
Staff present: Murphy, Glemboski, Doolittle

Chairman Sherrard called the meeting to order at 7:01 p.m.

II. APPROVAL OF THE MINUTES OF meeting of May 22, 2012.

MOTION: To approve the minutes of May 22, 2012 as written.

Motion made by Pritchard, seconded by Sherrard. Motion passed 3-0-2, with Roper and Steinfeld abstaining.

III. PUBLIC COMMUNICATIONS

Chairman Sherrard stated that he has been in contact with GOSA regarding the item on tonight's agenda and they are still available to any Commissioners who would like to walk the site.

IV. SUBDIVISIONS

1. North Woods Resubdivision

The Commission noted that this is scheduled for a hearing at 7:45 this evening.

2. Carrigan Subdivision

Staff noted that the drainage easement items have been completed and recommended release of the bond.

MOTION: To release the bond for the Carrigan Subdivision, Haley Road.

Motion made by Roper, seconded by Pritchard. Motion passed unanimously.

V. SITE PLANS

1. Proposed Industrial Development, 90 Leonard Drive – Request for one year extension for start of construction

Robert Schuch, Boundaries LLC, representing the applicant, addressed the Commission requesting a one year start of construction extension due to finances.

MOTION: To grant a one year extension for start of construction to July 12, 2013 for Proposed Industrial Development, 90 Leonard Drive

Motion made by Pritchard, seconded by Steinfeld. Motion passed unanimously.

2. 85th Day Restaurant, 13 Water Street (CAM)

Dan Meiser, owner, addressed the Commission discussing the proposed outdoor patio seating.

Mr. Meiser along with Gregg Fedus, Fedus Engineering, discussed the low profile deck. There will be no blasting of the adjacent ledge, the Fire Marshal has approved the plan and they have received Zoning Commission and Historic District approval. The propane tanks will be moved from their current location to satisfy the concerns of the Fire Marshal.

Mr. Meiser stated that they participate in the parking validation program at the Mystic Arts Center (MAC), they lease 4 spaces from MAC, and they lease a lot near Daniel Packer Inn.

Staff discussed the waivers that the applicant has requested.

The Commission and Mr. Meiser discussed parking, fence material, fire code and hours of operation.

MOTION: To approve a waiver to Section 7.2-3 for off-street parking requirements in accordance with Section 6.3-4.H. and Section 7.2-5(A) of the Zoning Regulations based on the following:

1. The applicant shall continually rent a minimum of 4 spaces at the Mystic Art Center.
2. The applicant shall continually participate in the Mystic Art Center's sponsored parking validation program.
3. The applicant shall continue to provide both verbal and signage information informing customers of all parking options.

Motion made by Sherrard, seconded by Roper. Motion passed unanimously.

MOTION: To approve a site plan for 85th Day Outdoor Seating Area, 13 Water Street, with the following modifications:

1. All building and fire code requirements shall be met for the site plan.
2. All staff technical items shall be addressed.

The Planning Commission notes that the site incorporates planter boxes along the front patio walls in lieu of the patio trees required under the previous site plan approval and this design

meets the intent of the frontage landscape requirements of Section 7.4-5 of the Zoning Regulations and the Waterfront Design District.

Motion made by Sherrard, seconded by Roper. Motion passed unanimously.

MOTION: To approve the Coastal Site Plan for 85th Day Restaurant because it is consistent with all applicable coastal policies and includes all reasonable measures to mitigate adverse impacts on coastal resources.

Motion made by Sherrard, seconded by Roper. Motion passed unanimously

3. Community Baptist Church, 950 Gold Star Highway – Request for extension or action required

The applicant has requested an extension to June 26, 2012

MOTION: To grant an extension for Community Baptist Church, 950 Gold Star Highway to June 26, 2012 and to table this item.

Motion made by Roper, seconded by Munn. Motion passed unanimously.

VI. OLD BUSINESS

1. Land Use Regulation Update Project - none
2. Plan of Conservation and Development Update

Staff noted that the contract has been signed with Milone & MacBroom. Staff will present the Commission with the scope of services at the next meeting. They are looking at formalizing the Steering Committee by July.

VII. NEW BUSINESS

1. Report of Commission

Commissioner Steinfeld voiced his concerns over blight issues at properties located on Long Hill Road. He also noted his dissatisfaction over the Commission's approval of the HVAC units Gabriele's Karate (approved 5-22-12).

Commissioner Roper noted that the Mystic Community Task Group will meet next week.

VIII. PUBLIC HEARING

1. North Woods Resubdivision, 1297 North Road

The Public Hearing was opened at 7:45 p.m. and Commissioner Pritchard read the legal ad.

James Bernardo, James Bernardo Land Surveying, LLC, addressed the Commission discussing the layout of the lots, utilities, frontage and the waivers requested.

Rich Buzon, owner, gave the Commission a brief history of the resubdivision.

Staff noted that the 2 lots will still meet zoning and subdivision requirements should a road ever be built in the 50-foot reserve area for future right of way. Staff discussed the open space dedication from the original subdivision and the waiver requested tonight.

The Commission, Mr. Bernardo and Mr. Buzon discussed the open space and fee in lieu of, multi-use trails, lot size and access, fire safety and right of way.

Mariam Leblanc, 60 Alpha Avenue, addressed the Commission with concerns over trail locations.

MOTION: To close the public hearing for North Woods Resubdivision,
1297 North Road

Motion made by Sherrard, seconded by Steinfeld. Motion passed unanimously.

IX. SUBDIVISION

1. North Woods Resubdivision, 1297 North Road

MOTION: To approve a waiver of Section 4.9 of the Subdivision Regulations, that requires the dedication of open space to the Town of Groton or the payment of a fee in lieu of open space, based on the following:

1. The Town of Groton required the dedication of 10% of land for open space purposes with the previous North Woods Subdivision approved on August 12, 2008 for five lots. The subdivision provided approximately 0.9 acres of open space and a pedestrian access easement from North Road to the open space lot. The proposed North Woods Resubdivision does not increase the size of the original subdivision area and adds only one additional building lot.
2. This property is unique in that it is a resubdivision of land for which the 10% open space land requirement has been provided for the original subdivision. This uniqueness is specific to this subdivision and is not applicable to other properties undergoing subdivisions or resubdivisions within the Town of Groton.
3. The granting of the waiver will not be detrimental to the public safety, health or welfare, or have a significant adverse effect on adjacent property.

4. The waiver will not conflict with the provisions of the Zoning Regulations, the Plan of Conservation and Development, or the regulations of any other Town Board or Commission.

Motion made by Sherrard, seconded by Roper. Motion passed unanimously.

MOTION: To approve the plan for North Woods Resubdivision, 1297 North Road, with the following modifications:

1. The plan shall specifically note the rights of the Town of Groton to construct a multi-use path within the existing 50'-wide pedestrian easement area if desired in the future to connect to a multi-use path to the east.
2. Provide a note on the final plan: "A bond shall be posted for all public improvements, including the monumentation of the lots, prior to the conveyance of any lots within the resubdivision."
3. Provide a note on the final plan: "The legal document for the perpetual maintenance of the private common drive shall be modified to include the resubdivision design of Lots 5 & 6. The document shall be recorded with the Town of Groton prior to the conveyance of any additional lots within the North Woods Subdivision."
4. Provide a note on the final plan: "The Option Agreement (BK 1031 Pg. 994-997) shall be modified, as legally necessary and appropriate, to incorporate the new design for Lot 5. Any new document shall be recorded with the Town of Groton and a copy submitted to the Office of Planning and Development Services."
5. The 25-ft access easement across land of N/F Albert D Caswell, Jr. & Mary M Caswell shall be recorded prior to the recording of the North Woods Resubdivision plan and a copy of the recorded document provided to the Office of Planning and Development.
6. All staff technical items shall be addressed.

Motion made by Sherrard, seconded by Roper. Motion passed unanimously.

X. NEW BUSINESS

1. New Applications
 - a. Groton Multicultural Montessori Daycare, 200 Hazelnut Hill Road
 - b. Central Hall, 18-22 West Main St., 36 West Main St., 2 Gravel St.

XI. OLD BUSINESS

1. Request from the Groton Open Space Association (GOSA) for Planning Commission Endorsement of GOSA's Open Space and Watershed Land Grant Application to the State DEEP to Acquire Certain Lands N/F of J. Crandall

Staff noted Matt Davis' memo from May 8, 2012 to the Planning Commission. The Commission and Staff discussed back taxes, mechanics liens, and future options for a road or multi-use trail. The Commission requested a draft recommendation from Staff as well as a copy of the report from the Conservation Commission.

MOTION: To table the request from the Groton Open Space Association (GOSA) for Planning Commission Endorsement of GOSA's Open Space and Watershed Land Grant Application to the State DEEP to Acquire Certain Lands N/F of J. Crandall

Motion made by Sherrard, seconded by Roper. Motion passed unanimously.

XII. REPORT OF CHAIRMAN

Chairman Sherrard and Staff briefly discussed the Mystic Streetscape project.

XIII. REPORT OF STAFF

Staff noted that the OPDS budget was approved with an extra \$10,000 for Economic Development and the addition of a Inspection Services technician.

XIV. ADJOURNMENT

Motion to adjourn at 9:31 p.m. made by Roper, seconded by Steinfeld, so voted unanimously.

Jeffrey Pritchard, Secretary
Planning Commission

Prepared by Katie Doolittle
Office Assistant II